Social Services Appeal Board of Saskatchewan

Annual Report 2006 - 2007

Letter of Transmittal

Honourable Kevin Yates
Minister of Community Resources

Dear Mr. Yates:

I hereby respectfully submit the Annual Report of the Social Services Appeal Board for the one year period ending March 31, 2007.

Lynn Brown

Chairperson

Preface

The Annual Report, presented to the Minister of Community Resources provides a description of the Social Services Appeal Board, its mandate, development and procedures, and a summary of the nature of appeals heard by the Board during the year April 1, 2006 to March 31, 2007.

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Introduction

The *Social Services Appeal Board* is an independent tribunal whose role is to determine if clients have been treated fairly and in accordance with the Saskatchewan Assistance Regulations.

Legal authority is provided by the Department of Social Services Act R.S.D. 1978, Section 10; The Saskatchewan Assistance Act R.S.S. 1966, Section 14(m)(n), 15-18; the Saskatchewan Assistance Regulations, Section 43.

Appeals to the *Social Services Appeal Board* are considered the final step in a three tiered appeal process established under the regulations. The first level of appeal is to the Regional Director and any dissatisfied client may appeal to this level. Once the Regional Director has taken a decision, the client has the option of continuing with the appeal should he/she be dissatisfied with the decision. Client appeals to the second level are arranged by the Regional Director and are heard by a Regional Appeal Committee. Depending on the decision of the Regional Appeal Committee, either the client or the Regional Director may choose to continue the appeal to the third and final level, the *Social Services Appeal Board*.

The decision of the provincial board is final, unless it is not in accordance with the law. Clients and the department may appeal to the Court of Queen's Bench. Clients may also request an independent review by the Ombudsman who will investigate the case. The Ombudsman cannot change the decision of the board, however, he may investigate the matter and advise the board if he believes the claim to be substantiated.

Members of the Board 2006 - 2007

Chairperson and Board Members are independent of the Department of Community Resources. Appointments are made by Minister's Order.

Gloria Edwards is the appeal co-ordinator in Regina.

Yvonne Brandsema is the appeal co-ordinator in Saskatoon.

L. Brown, Chairperson A. Gustafson (resigned May 2007) R. Fiddler M. Aubichon I. Barr R. Whitecloud F. Dulmage J. De Jong C. Bruce K. Davis

Location of Hearings

Regional hearings are held by Regional Appeal Committees in the major centres in each region. Provincial hearings are held in Regina and Saskatoon, usually with a panel of four to six persons. A quorum is three members.

The chairperson attends all appeal hearings and writes the decisions which are conveyed in writing to clients, usually within one week of the hearings. As part of the decision, the client is always advised of the rationale behind the board's decision.

Board members consider themselves obliged to adhere to the Saskatchewan Assistance Regulations but believe they have some flexibility in dealing with the internal policy guidelines.

The board has access to outside legal counsel and on occasion seeks advice regarding decisions.

Chairperson's Comments

The 2006 - 2007 annual report of the Social Services Appeal Board is available online at www.cr.gov.sk.ca/06-07-ssappealboard.pdf

In 2006 - 2007 the board received 138 appeal requests. This is 38 less than in 2005 - 2006. Eight requests were denied and 8 requests were withdrawn. Twenty-one meetings were held in Regina and 27 in Saskatoon.

Decisions favoured clients in 19% of the appeals.

A large portion of appeals continues to relate to Section 6(1)(b-e) (31.7%) of the Saskatchewan Assistance Regulations . During the course of even the most straight forward 6(1)(b-e) appeal, the board often hears about other concerns.

Transitional Employment Allowance appeals (28) (19.5%) are included in these numbers. These appeals are conducted by telephone and the process appears to be working. Board members continue to become more skilled with the new format and clients appear more comfortable. This type of appeal has increased by 12 since the 2005-2006 Annual Report.

Table 1 - Statistics

Number of Regional and Provincial Appeals
(2001 - 2002 to 2006 - 2007)

	Regional	Provincial
2001 – 2002	416	137
2002 – 2003	502	171
2003 – 2004	586	222
2004 - 2005	565	223
2005 – 2006	457	176
2006 – 2007	466	138

Regional numbers do not include denied or withdrawn.

Provincial numbers include 8 denied and 8 withdrawn.

Table 2 - Regional Appeals Location and Disposition 2006 - 2007 Summary by Region

Region	Decision in Favour of Client	Decision in Favour of Director	Total
Southwest	24	92	116
Southeast	0	17	17
Centre	Centre 33		152
Northeast	16	105	121
Northwest	Northwest 3		50
Total	76	380	456

Note: Totals may not balance because one appeal may result in more than one decision.

Table 3 - Provincial Appeals Source of Provincial Appeals. 2006 - 2007

Region	Appealed by Client Director		Total
Southwest	outhwest 36 11		47
Southeast	Southeast 9 0		9
Centre	23	9	32
Northeast	12	1	13
Northwest	20	2	22
Total	100	23	123

Note: 8 requests for appeals were denied

8 appeals were withdrawn

Some cases were appealed by both

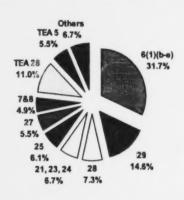
client and director

Table 4 - Provincial Appeals Summary by Region 2006 - 2007

	Client Sourced Appeals		Director Sourced Appeals		
Region	Decision for Client	Decision Against Client	Decision for Director	Decision Against Director	
Southwest	1	31	3	8	
Southeast	1	11	0	0	
Centre	5	18	5	4	
Northeast	1	11	1	0	
Northwest	1	19	1	2	
Total	9	90	10	14	

The number of appeals received and the number of decisions is not equal due to denials, withdrawals and split decisions.

Table 5 - Social Services Appeal Board Appeals by Reason (segments represent the SAP and TEA Regulation appealed)



6(1)(b-e)	Responsibilities of the recipient as a condition of eligibility			
29	Determining financial resources			
28	Financial resources and exempt income			
21,23,24	Changes in the amount of assistance			
25	Allowance amounts: basic needs, shelter, utilities, personal, food			
27	Special Needs			
7&8	Determining eligibility			
Transitional Employment Allowance 28	Responsibilities of the recipient as a condition of eligibility			
Transitional Employment Allowance 5	Eligibility of applicant			
Others	Social Assistance Program Common-law Method of determining budget deficit or surplus Manner of paying assistance Transitional Employment Allowance Eligibility for utilities allowances Determining financial resources			

Table 6 - Appeal Board Meetings Provincial Appeals Heard in Regina and Saskatoon

2003-2004 to 2006-2007

	Regina Meetings	Cases Heard	Saskatoon Meetings	Cases Heard
2003 – 2004	27	89	33	108
2004 – 2005	30	79	32	103
2005 – 2006	29	77	27	78
2006 - 2007	21	56	27	66

Table 7 - The Provincial Ombudsman

Clients who are dissatisfied with the decision of the Social Services Appeal Board may also request a review by the Office of the Ombudsman. The Ombudsman cannot change the decision of the board, however, an investigation will be conducted and the board advised if the Ombudsman believes the complaint to be substantiated. In those cases the Department of Community Resources will also be advised. The Department may then initiate action which satisfies the client.

2006 - 2007

Cases	Cases	Not	Substantiated	Substantiated	Discontinued
Opened	Closed	Substantiated	& Rectified	& Unresolved	
3	4	4	0	0	0

Cases outstanding April 1, 2006: 12

Cases outstanding March 31, 2007: 10

The number of outstanding cases appears high. Cross referencing with the Office of the Ombudsman may reduce the numbers.

